

Partnerships for Results

Partnerships for Improving Performance

EPA's National Environmental Performance Track

The National Environmental Performance Track program is designed to recognize and encourage top environmental performers—those who go beyond compliance with regulatory requirements to attain levels of environmental performance and management that benefit people, communities, and the environment.

Our system of environmental protection continues to evolve. There is growing recognition that government should complement existing programs with new tools and strategies that not only protect people and the environment, but also capture opportunities for reducing costs and spurring technological innovation.

This program builds upon the lessons EPA has learned from several state leadership programs and from its own efforts. EPA learned that innovations in environmental management can be used to create strategic business opportunities and advantages while maximizing the health and productivity of our ecosystems and communities. EPA learned the importance of keeping innovation programs simple and their transaction costs low. EPA knows that it must focus on performance, not just the means of achieving it, and derive measurable results from its programs.

The Performance Track program is the culmination of these efforts. It recognizes innovation, motivates others to improve, and complements existing regulatory activities. It has been designed so that criteria for participation are proportional to the benefits. It encourages participation by small, medium, and large facilities. It also emphasizes the importance of effective state/EPA partnerships and the need to inform and involve citizens and communities.

EPA is implementing the National Environmental Performance Track program at two levels. The first level, the National Environmental Achievement Track, is designed to recognize facilities that consistently meet their legal requirements and have implemented high-quality environmental management systems, as well as to encourage them to achieve more by continuously improving their environmental performance and informing and involving the public.

The second level, the National Environmental Stewardship Track, is still under development. It is being designed to recognize and encourage broader and higher levels of voluntary environmental performance than those expected under the Achievement Track.

For more information on Performance Track, visit the web site at www.epa.gov/performancectrack.

Partnerships for Results

Partnerships for Improving Performance

Oregon Green Permits Program

The Oregon Department of Environmental Quality (DEQ) has developed a voluntary, incentive-based program to reward facilities that go beyond compliance and achieve environmental performance that is significantly better than otherwise required by law. The 1997 Oregon Legislature authorized DEQ to issue Green Permits that may waive regulatory requirements for facilities that adopt innovative approaches and achieve superior performance.

Program Description

A Green Permit modifies regulatory requirements after a facility has demonstrated that it can meet certain requirements. Rules adopted in 1999 require demonstration of superior environmental performance, public reporting and ongoing communication with interested stakeholders to assure ongoing environmental improvement. A "tiered" approach offers different types of Green Permits, in which increasing performance received increasing benefits.

"Green Environmental Management System Permits", or GEMS Permits, require the implementation of a formal environmental management system to achieve results. Three types of GEMS permits may be issued, ranging from entry level to advanced, to allow a wide range of participants in the program. Benefits include public recognition; regulatory efficiencies through consolidated reporting, flexible permits, and other waivers requested by the facility; and enforcement discretion that focuses on the environmental management system to continually improve performance.

"Custom Waiver Permits" allow limited waivers of regulatory requirements if the waiver is needed to help the facility perform significantly better than otherwise required. Custom Waiver Permits do not require an environmental management system, but they do require annual performance reports and ongoing stakeholder involvement.

Program Status

DEQ's Green Permits Guidance Manual explains the mechanisms of the Green Permits program. Two GEMS Achiever Permits (the middle tier) have been issued to date, three more applications are pending review, and one additional facility has recently applied to the program. More than a dozen additional facilities have expressed serious interest in the program.

The program is funded through cost recovery, where potential applicants submit a \$5000 deposit with their Green Permit application. During the permit application process, the agency estimates a budget and may require additional cost recovery funds to cover agency expenses in reviewing, developing, administering and monitoring the Green Permit.

Program Results

One of the key principles behind the Green Permits program is that environmental performance will improve. The program overall addresses a wider range of environmental impacts than those currently regulated under Oregon laws, and will result in a cleaner environment. The benefits to the facility include regulatory incentives, a partnership approach to environmental management, and public recognition of their environmental performance. The benefits to the public include better information about a facility's environmental issues and performance, and opportunities to constructively discuss the facility's performance. The benefits to the agency include broader adoption of formal environmental management systems among regulated facilities throughout the state, ensuring a reliable process to facilitate continual improvement of the facility's environmental program.

Lessons Learned: Key Factors in the Success of the Program

Broad input: The program began with focus groups in 1995, involving hundreds of people throughout the development and implementation of the program. Outreach methods included frequent mailings, meetings and other conversations. Potential participants, non-governmental organizations, agency staff, EPA staff, and other interested persons were invited to participate at all phases of the program. Frequent communication is essential to success.

Partnerships for Results

Partnerships for Improving Performance

Collaboration: DEQ has established a close working relationship with EPA that implements the program through a problem-solving approach. A formal Memorandum of Agreement clearly defines the roles and responsibilities of the agencies. These partnerships, along with a broad cross-media approach, effect a culture change that focuses on outcomes rather than administrative details.

Teamwork: DEQ and EPA have assigned cross-media teams to work with the applicants and develop a holistic approach to the facility's environmental performance. Key staff have been appointed as "single points of contact" to facilitate dialogue among the players.

Legislation: Authorizing legislation, resources to establish the Green Permits program, and cost recovery from participating facilities, helped to gain acceptance of the program among agency management, and helped to define an efficient process for applicants.

Balance of Certainty and Flexibility: The program elements have enough detail to assure participants of some degree of certainty, thereby lowering transaction costs, while allowing for flexibility in individual circumstances.

For more information, contact:

Marianne Fitzgerald
Green Permits Program Coordinator
Oregon Department of Environmental Quality
811 SW 6th Avenue, Portland, OR 97204
Email: fitzgerald.marianne@deq.state.or.us
Phone: 503/229-5946
Fax: 503/229-5850
<http://www.deq.state.or.us/programs/greenpermits>